

To: Miller, Amy[Miller.Amy@epa.gov]; PerezSullivan, Margot[PerezSullivan.Margot@epa.gov]
Cc: Karlson, Kristine[Karlson.Kristine@epa.gov]; Reyes, Deldi[Reyes.Deldi@epa.gov]; Meer, Daniel[Meer.Daniel@epa.gov]; Christenson, Kara[Christenson.Kara@epa.gov]
From: Huettelman, Tom
Sent: Fri 4/22/2016 9:18:32 PM
Subject: RE: LA Times request Fwd: Exide

I have a suggested responses for 1 (except for the inspection question), 2, 6 and 7.

Tom Huettelman, Assistant Director

Land Division, USEPA Region 9

415-972-3751

From: Miller, Amy
Sent: Friday, April 22, 2016 12:37 PM
To: PerezSullivan, Margot <PerezSullivan.Margot@epa.gov>
Cc: Karlson, Kristine <Karlson.Kristine@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; Huettelman, Tom <Huettelman.Tom@epa.gov>; Meer, Daniel <Meer.Daniel@epa.gov>
Subject: RE: LA Times request Fwd: Exide

Hi Margot – I have copied the senior team from ENF/LND/Superfund that are involved in Exide. They will need to get back to you on this.

Amy C. Miller, Deputy Director

Enforcement Division

US EPA Region IX

(415) 947-4198

miller.amy@epa.gov

From: PerezSullivan, Margot

Sent: Friday, April 22, 2016 12:21 PM
To: Miller, Amy <Miller.Amy@epa.gov>
Subject: LA Times request Fwd: Exide

Hi Amy:

Below are questions from the LA Times on Exide. I have some talking points from the administrator's visit, but these are a bit more specific. Can we accommodate this request? His deadline is Monday...

Margot Perez-Sullivan
U.S. Environmental Protection Agency
D: [415.947.4149](tel:415.947.4149)

C: [415.412.1115](tel:415.412.1115)

E: perezsullivan.margot@epa.gov

Begin forwarded message:

From: "Barboza, Tony" <Tony.Barboza@latimes.com>
Date: April 22, 2016 at 11:46:53 AM PDT
To: "PerezSullivan, Margot" <PerezSullivan.Margot@epa.gov>
Subject: RE: Exide

Hi Margot,

I'm sorry to hear that staff will not be made available to discuss such a significant case and cleanup. Below are some of the questions I would like to ask. My deadline is Monday.

1. Please describe EPA's current role and involvement in the Exide Technologies case, including the closure and cleanup of the Vernon facility and the surrounding neighborhoods and any inspection or enforcement activities.

EPA Region 9 is providing technical support on the facility closure plan and the residential cleanup. We have facilitated a peer exchange between DTSC and EPA Region 7's staff working on a large lead smelter site in Omaha. Region 9 staff participate in monthly meetings of the Exide Technical Advisory Group so that we can also hear directly from

community members and other stakeholders about issues of concern.

2. Is EPA examining soil testing results? Is EPA or any other federal agency examining the elevated blood lead levels found among children near the plant?

Yes, we are examining the soil testing and blood lead levels and we have reached out to the Agency for Toxic Substances and Disease Registry (*ATSDR*) regarding the blood lead levels.

3. Is the site being evaluated or considered for inclusion in Superfund/National Priorities List?

4. What resolutions have there been to the violations Exide was cited for by U.S. EPA, including those issued in May 2014, March 2015 and any other citations? Did Exide pay any penalties in connection with those or other alleged violations?

5. Does EPA have any ongoing investigations involving Exide, related companies or public officials that oversaw the plant? Is EPA monitoring the company's compliance with the requirements of the U.S. attorney's office March 2015 non-prosecution agreement?

6. Is EPA satisfied with the California DTSC's oversight and its allowance of the continued operation of this facility, even as it logged a long history of lead emissions and hazardous waste violations? Having been informed of those violations, what did EPA do to ensure the problems and any state regulatory deficiencies were corrected?

Exide has been a very challenging facility for DTSC and other environmental agencies to regulate. As concerns associated with the facility mounted, EPA increased its involvement at the Exide facility, including increased review of RCRA activities and EPA led inspections and enforcement.

7. Has EPA or Region 9 changed any policies or procedures in how it oversees the California DTSC, lead-acid battery smelters, lead-emitting industries and other hazardous waste facilities in the wake of what happened at Exide? What has been done to ensure a similar outcome does not happen elsewhere?

EPA's oversight of DTSC evolves over time to respond to issues that arise and any performance concerns. We have increased our involvement at Exide over the past few years and have increased our oversight of DTSC's RCRA program. Nationally, EPA is taking steps to more closely examine sources of lead contamination.

Thank you,

Tony Barboza

Staff Writer

Los Angeles Times

Office: 213-237-6612

Cell: 213-219-0047

tony.barboza@latimes.com

From: PerezSullivan, Margot [<mailto:PerezSullivan.Margot@epa.gov>]

Sent: Friday, April 22, 2016 10:58 AM

To: Barboza, Tony

Subject: Exide

Hi Tony:

I talked to a few folks here and since we're not the lead, there's not much we can say about it that hasn't already been said. Do you have any specific questions?

Margot Perez-Sullivan
U.S. Environmental Protection Agency
D: 415.947.4149

C: 415.412.1115

E: perezsullivan.margot@epa.gov